IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

MARC GRANO as personal representative	§	
of the WRONGFUL DEATH ESTATE	§	
OF JONATHAN ANDREW GARCIA	§	
and a Next Friend to J.O.G., A.S.R., An.J.G	8	
and Ar.J.G	8	
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Plaintiff,	8 8	
1 minting	8	
v.	\$\\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\	Case No. 1:20-cv-00147-PJK-KK
••	8	Case No. 1:20-CV-0014/-PJR-KK
STATE OF NEW MEXICO, GREGG	§	
·	§	
MARCANTEL, New Mexico Secretary of	§	
Corrections, DAVID JABLONSKI, New	§	
Mexico Secretary of Corrections,	§	
CLARENCE OLIVAS, Deputy Warden	§	
Of Penitentiary of New Mexico, BRIAN	§	
LUCERO, Corrections Officer, FNU	§	
MARTINEZ, Corrections Officer, FNU	§	
BACA, Captain, Corrections Officer, FNU	§	
WELLS, Sergeant, Corrections Officer, and	§	
JOHN DOES 1 through 5, employees,	§	
staff, agents of Penitentiary of New Mexico,		
	§ §	
Defendants.	§	

ATTORNEY'S FEE AFFIDAVIT

COMES NOW Rodney Gabaldon, of the law firm Garcia Law Group, LLC, and after being first duly sworn upon his oath, deposes and states as follows:

- 1. I am over the age of 18, I am competent to offer testimony on this matter, and I have personal knowledge of the facts asserted herein.
- 2. My name is Rodney Gabaldon. I am an attorney at the law firm, Garcia Law Group, LLC in Albuquerque, Bernalillo County, State of New Mexico. I am a duly licensed and practicing attorney in the State of New Mexico and have been licensed in New Mexico since 1998. I am admitted to practice before the state and federal courts in New Mexico.
- 3. I represent the Defendants in the above-entitled and numbered cause. I agreed to provide legal representation on this matter at a rate of \$165.00 per hour, and the associate billing rate is \$95.00 per hour.



- 4. Attorney fees were reasonably and necessarily incurred by Defendants in connection with a Motion to Compel [Doc. 102] filed on March 8, 2022, in this matter. Plaintiff did not respond to the Motion.
- 5. The Court granted the majority of the requests made in the Motion to Compel, and Ordered Defendants file a supported Fee Petition, with a reduction for the time spent on the portion of the motion regarding fact witness depositions.
- 6. Reviewing the discovery requests and Plaintiff's responses, the relevant law on these issues, and drafting the Motion to Compel [Doc. 102], Defense counsel expended a total of 7.5 associate hours at a rate of \$95.00 and 1.0 supervising attorney hours at a rate of \$165.00. Thus, the total incurred Attorney's fees for the Motion were \$877.50.
- 7. The time spent on the section regarding fact witness depositions, which was not granted by the Court, amounted to approximately twenty-five percent of the time, resulting in a 25% reduction and a reduced total of \$658.12.
- 8. The hourly fees charged by Garcia Law Group, LLC in connection with this matter are similar to fees charged by similarly experienced counsel practicing in this field.

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RODNEY 6	ABALD	ON, ES	SO.
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STATE OF NEW MEXICO) ss.

COUNTY OF BERNALILLO

Sworn and subscribed to before me by Rodney Gabaldon, Esq. on this da

Motary Public

My Commission Expires:

12-13-2025-

STATE OF NEW MEXICO NOTARY PUBLIC Shelly M. Johnson Commission No. 1136204 December 13, 2025